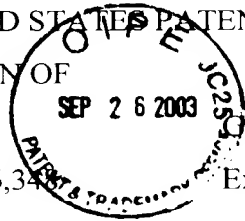


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF
GRILLO-LOPEZ et al.



Group Art Unit: 1644

Application Serial No. 09/436,348

Examiner: Ron Schwadron

Filed: November 9, 1999

Title: USE OF CHIMERIC ANTI-CD20 ANTIBODY AS IN VITRO OR IN VIVO PURGING
AGENT IN PATIENTS RECEIVING BMT OR PBSC TRANSPLANT

* * * * *

SUPPLEMENTAL ELECTION RESPONSE

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OCT 02 2003

TECH CENTER 1600/2900

Sir:

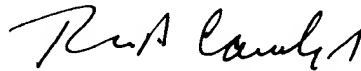
This is in response to the official action [restriction requirement] mailed on
July 28, 2003.

Applicants elect, without traverse, *in vitro* methods using an anti-CD20
antibody as a species on which prosecution shall proceed. Claims 1-3 and 5-14 read
on the elected species. Upon allowance of a generic claim, applicant requests that
additional species, including methods that employ *in vivo* anti-CD20 treatment and a
combination of *in vitro* and *in vivo* anti-CD20 treatments, be considered.

Applicants further elect, with traverse, a method for anti-CD20 therapy that
does not include further includes radioimmunotherapy, whole body irradiation,
chemotherapy, cytokine treatment, and/or antibody therapy as a species on which
prosecution shall proceed. Claims 6, 7, and 9 read on the elected species. Applicants
traversal is on grounds that the claimed methods encompass subjects having received
these additional treatments, and thus it would not be an undue burden to complete a
search that includes these aspects of the invention. In support thereof, clinical trials
supporting the disclosed methods include subjects having the indicated treatments
(McLaughlin et al. (1998) *J Clin Oncol* 16:2825-33; cited at pages 9-10 of the
specification; copy enclosed). Upon allowance of a generic claim, applicant requests
that methods comprising anti-CD20 therapy and the above-noted additional treatments
be considered.

If there are any remaining questions regarding the election of species, applicants respectfully request that the examiner contact the undersigned attorney.

Respectfully submitted,
PILLSBURY WINTHROP LLP



Thomas A. Cawley, Jr., Ph.D.
Registration No. 40,944

P.O. Box 10500
McLean, VA 22102
(703) 905-2144 Direct Dial
(703) 905-2500 Facsimile
TAC/JBM:ntb
Enclosure